

PATENT APPLICATION

Our File No.: 20040117.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Stephen Hart et al : August 25, 2004

S.N. : 10/824,584 : Art Unit unknown

Filed : April 8, 2004

For : CONTROL OF GENE EXPRESSION USING

A COMPLEX OF AN OLIGONUCLEOTIDE AND

A REGULATORY PEPTIDE

Commissioner for Patents

P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER RULE 1.56

Applicant(s) herein make available to the Patent and Trademark Office a copy of Form PTO-1449 which lists the following document(s), copies of which are enclosed. This Information Disclosure Statement is being filed in accordance with the following provision(s):

- [] 37 CFR 1.97(b)(1) Within three months of the filing date of the national application. No fee is required.
- [] 37 CFR 1.97(b)(2) Within three months of the date of entry of the national stage as set forth in § 1.491 in the international application. No fee is required.
- [X] 37 CFR 1.97(b)(3) Before the mailing date of a first Office Action on the merits. No fee is required.
- [] 37 CFR 1.97(c) After the periods specified in 37 CFR 1.97(b), but before the mailing date of either: (1) a

final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first.

- [] The undersigned hereby certifies that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- [] The undersigned hereby certifies that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; or
- [] Enclosed is a check in the amount of \$200.00 for the fee set forth in 37 CFR § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 08-1265. Two copies of this sheet are enclosed.
- [] 37 CFR 1.97(d) After the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, but before payment of the issue fee.
- [] Applicant(s) hereby petition the Commissioner of Patents and Trademarks to consider this information disclosure statement. Enclosed is a check in the amount of \$130.00 for the petition fee set forth in § 1.17(i)(1). The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 08-1265. Two copies of this sheet are enclosed.

The Examiner is requested to consider carefully the complete text of these documents in connection with the examination of the above-identified application in accordance with 37 CFR 1.104(a).

It is requested that the documents listed on the attached Form PTO-1449 be included in the "References Cited" portion of any patent issuing from this application (M.P.E.P. 1302.12), and that the Examiner initial and return a copy of the form to evidence consideration of the documents.

Dated: August 25, 2004.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.

C. G. Mersereau

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CERTIFICATE OF MAILING

I hereby certify that the foregoing Information Disclosure Statement Under Rule 1.56, Form PTO-1449 and a copy of each cited reference to be filed in connection with application Serial No. 10/824,584 of inventors, Stephen Hart et al, filed April 8, 2004, for " CONTROL OF GENE EXPRESSION USING A COMPLEX OF AN OLIGONUCLEOTIDE AND A REGULATORY PEPTIDE " are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 25, 2004.

Barbara L. Davis

Secretary to C. G. Mersereau

Date of Signature: August 25, 2004

FORM PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION
(Use Beeveral sheets if necessary)

Document Number 20040117.ORI

Application Number 10/824,584

Applicant Stephen Hart et al

Filing Date
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Group Art Unit Unknown

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Transcription, Vol. 29, No. 3, 2001, pp. 783-791

(2-92)Sheet 7 of 7 Application Number Form PTO-1449 Document Number 20040117.ORI 10/824,584 INFORMATION DISCLOSURE CITATION IN AN APPLICATION Applicant Stephen Hart et al (Use several sheets if necessary) Group Art Unit Filing Date April 8, 2004 Unknown U.S. PATENT DOCUMENTS EXAMINER DOCUMENT NUMBER DATE NAME CLASS SUBCLASS FILING DATE IF APPROPRIATE TNITIAL FOREIGN PATENT DOCUMENTS DOCUMENT DATE COUNTRY CLASS SUBCLASS Translation YES NO NUMBER OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.) Moon et al, JOURNAL OF BIOLOGICAL CHEMISTRY, Potent Growth Inhibition of Leukemic Cells by novel Ribbon-type Antisense Oligonucleotides to c-myb1, Vol. 18, 2000, pp. 4647-4653 (PubMed Abstract Only) Normanno et al, CLIN CANCER RES, Growth Inhibition of Human Colon Carcinoma Cells by Combinations of Anti-epidermal Growth Factor-related Growth Factor Antisense Oligonucleotides, Vol. 2, 1996, pp. 601-609 (PubMed Abstract Only) Postel, ANN NY ACAD SCI, Modulation of c-myc Transcription by Triple Helix Formation, Vol. 660, 1992, pp. 57-63 (PubMed Abstract Only) Postel et al, PROC NATL ACAD SCI USA, Evidence that a Triplex-forming Oligodeoxyribonucleotide Binds to the c-myc promoter in HeLa Cells, Thereby Reducing c-myc mRNA Levels, Vol. 88, 1991, pp. 8227-8231 (PubMed Abstract Only) Takasugi et al, PROC NATL ACAD SCI USA, Sequence-specific Photo-induced Crosslinking of the Two Strands of Double-Helical DNA by a Psoralen Covalently Linked to a Triple Helix-forming Oligonucleotide, Vol. 88, July 1991, pp. 5602-Tari et al, ONCOGENE, Growth Inhibition of Breast Cancer Cells by Grb2 Downregulation is Correlated with Inactivation of Mitogen-activated Protein Kinase in EGFR, but Not in ErbB2, Cells, Vol. 18, 1999, pp. 1325-1332 (PubMed Abstract Only) Wang et al, MOLECULAR AND CELLULAR BIOLOGY, Targeted Mutagenesis in Mammalian Cells Mediated by Intracellular Triple Helix Formation, Vol. 15, March 1995, pp. 1759-1768 Yun et al, TRANSPLANTATION, Specific Suppression of Interleukin 2 Biosynthesis by Synthetic Antisense Oligodeoxynucleotides Does Not Influence Allograft Rejection, Vol. 69, 2000, pp. 2586-2592 (PubMed Abstract Only)

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